

Application No. 10/742,121
Reply to Office Action of May 2, 2006

REMARKS/ARGUMENTS

At the outset, Applicants thank Examiners Martin and Shah for their helpful explanations of the rejections and suggestions to overcome the same during the courteous interview held on June 13, 2006.

In accordance with the discussion during the above-mentioned interview, Applicants have amended Claims 1, 9 and 26 (the independent claims) to relate to methods and printing ink compositions containing a second solvent having a viscosity at 25°C that is less than 60 cps. Support for these amendments is found at original Claims 13 and 30, as well as at page 14, lines 8-12, of the originally filed specification. No new matter is believed to be introduced by this amendment. Again, Applicants thank Examiners Martin and Shah for indicating that these amendments would obviate the rejections based upon the Schwarz et al. and Frihart et al. references cited in the outstanding Office Action.

In addition, Applicants have amended Claims 13 and 30. Support for amended Claims 13 and 40 is found at page 14, lines 8-12, of the originally filed specification. No new matter is believed to be introduced by the amendment.

Finally, Applicants have added new Claims 43-49. Support for new Claims 43-49 is found at page 14, lines 8-12, of the originally filed specification. No new matter is believed to be introduced by the amendment.

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In summary, Claims 1-20, 22-35, and 37-49 are pending. Favorable reconsideration is respectfully requested in light of the above amendment and the remarks herein.

The rejection of Claims 1-20, 22-35, and 37-42 under 35 U.S.C. §103(a) over any combination of Schwarz et al. (US'170), Frihart et al. (US'638), Shawcross et al. (US'394), Visser et al. (US'165), Lin et al. (US'393), Bedford et al. (US'476), and Adkins et al. (US'679) is believed to be obviated by the amendment above combined with the remarks below. Further, any rejection of new Claims 43-49 over Schwarz et al. (US'170), Frihart et al. (US'638), and, Shawcross et al. (US'394), Visser et al. (US'165), Lin et al. (US'393), Bedford et al. (US'476), and Adkins et al. (US'679) is believed to be obviated by the amendment above combined with the remarks below.

As discussed during the above-mentioned interview, all rejections are based upon either Schwarz et al. (US'170) and/or Frihart et al. (US'638) as the primary references. Further, the Office has relied upon Shawcross et al. (US'394), Visser et al. (US'165), Lin et al. (US'393), Bedford et al. (US'476), and Adkins et al. (US'679) to provide what both Schwarz et al. (US'170) and/or Frihart et al. (US'638) lack so as to support obviousness rejections. Therefore, both Schwarz et al. (US'170) and Frihart et al. (US'638) provide the foundation for all rejections. However, both Schwarz et al. (US'170) and Frihart et al. (US'638) disclose hot-melt inks, as well as inks that do not contain a second solvent having a viscosity at 25°C that is less than 60 cps.

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In direct contrast to Schwarz et al. (US'170) and Frihart et al. (US'638), the present invention relates to a printing ink compositions particularly suitable for drop on demand printers. The compositions of the present invention contain colorant, resin and solvent, where the resin is a polymerized fatty acid-based polyamide resin that is the reaction product of reactants comprising polymerized fatty acid polyamide, ethylene diamine, hexamethylenediamine, and fatty acid, the solvent contains a first solvent and a second solvent where the first solvent contains at least one solvent having a single amide group or a single carbamide group as the only non-hydrocarbon moiety in the solvent; and the second solvent has a viscosity at 25°C that is less than 60 cps and contains at least one hydrocarbon solvent. Further, the present invention relates to a printing ink composition containing colorant, resin and solvent, where the resin is a polymerized fatty acid-based polyamide resin that is the reaction product of reactants containing polymerized fatty acid polyamide, ethylene diamine, hexamethylenediamine, and fatty acid, the solvent contains a first solvent and a second solvent, where the first solvent contains at least one solvent having a single hydroxyl group as the only non-hydrocarbon moiety in the solvent; and the second solvent has a viscosity at 25°C that is less than 60 cps and contains at least one hydrocarbon. Finally, the present invention relates to methods of making and using these printing ink compositions.

Since Schwarz et al. (US'170) and Frihart et al. (US'638) disclose hot-melt inks which are in direct contrast to drop on demand inks of the present invention, not only are both Schwarz et al. (US'170) and Frihart et al. (US'638) non-analogous art, but they also teach away from inks that contain a second solvent having a viscosity at 25°C that is less than 60 cps. Accordingly, Schwarz et al. (US'170) and Frihart et al. can not possibly be relied upon

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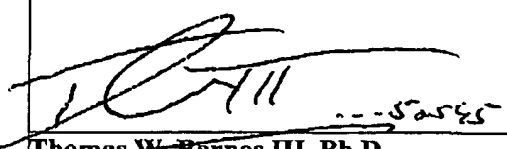
to build a prima facie case of obviousness; and, any rejection based upon either Schwarz et al. (US'170) or Frihart et al. (US'638) as the primary reference is believed to be obviated in light of the above amendment and remarks. In addition, any rejection based upon any one or more combinations of Shawcross et al. (US'394), Visser et al. (US'165), Lin et al. (US'393), Bedford et al. (US'476), and Adkins et al. (US'679) can not possibly stand because all of the elements of the present claims are not disclosed or suggested therein. Accordingly, withdrawal of all grounds of rejection of the outstanding Office Action, all of which are based upon Schwarz et al. (US'170) and/or Frihart et al. (US'638) as primary references, is respectfully requested.

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Applicants respectfully submit that the present application is now in condition for allowance. Favorable reconsideration is respectfully requested. Should anything further be required to place this application in condition for allowance, the Examiner is requested to contact below-signed by telephone.

Please charge the amount of \$1020.00 required for the request for extension of time to our Deposit Account No. 09-0525. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 09-0525. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time.

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